

**Application No. UP-663-05, StorMoore/Uppy's Convenience Store:** Request for an amendment to a Special Use Permit (UP-634-04), pursuant to Section 24.1-115(d)(3) of the York County Zoning Ordinance, granted for a mini-storage warehouse facility and access to a contractor's storage yard at 7307 George Washington Memorial Highway (Route 17) and further identified as Assessor's Parcel No. 24-128. The amendment requests vehicular access to the mini-storage warehouse facility/contractor's storage yard through an abutting parcel located at 7305 George Washington Memorial Highway (Uppy's Convenience Store) and further identified as Assessor's Parcel No. 24-129. The properties are located in the northwest quadrant of the intersection of Whites Road (Route 1216) and George Washington Memorial Highway. The properties are zoned GB (General Business) and are designated for General Business development in the Comprehensive Plan.

**Ms. Amy Parker, Senior Planner**, summarized the staff report dated March 2, 2005 and explained this request for an amendment to a Special Use Permit granted under Application No. UP-634-04, which the Planning Commission considered last April and the Board approved in May 2004. The staff is recommending approval of the subject application.

**Mr. Barba** asked if the original approval by the Board of Supervisors required 10-foot landscape yards along the property's side lines. **Ms. Parker** explained the approved site plan indicated retention of existing trees within the 10-foot side yards on either side and within the 50-foot transitional buffer abutting the adjacent residential properties. **Mr. Barba** noted no trees remain in the 10-foot side yard against Uppy's. **Mr. Parker** stated that appeared to be accurate and referred **Mr. Barba's** concerns to **Mr. Mark Carter** as a zoning enforcement issue.

**Mr. Staton** inquired about traffic conditions at the location, and **Ms. Parker** explained a traffic analysis would be required for site plan approval. **Mr. Staton** suggested a traffic analysis would have been helpful for the Commission's deliberations. **Ms. Parker** replied that a traffic analysis had not been requested as part of the application.

**Ms. Conner** observed the parking lot of Uppy's convenience store could effectively become a cut-through for vehicle traffic to Whites Road. **Ms. Parker** acknowledged that under the proposal the central portion of the Uppy's parking lot would become a "traffic aisle." However, without a median break at Whites Road it would be necessary for northbound traffic to make U-turns at a median on Route 17 and head south to access the contractor's storage yard. The staff had concluded, with the concurrence of the Virginia Department of Transportation (VDOT), that the proposed shared parking layout represented a safer option.

**Ms. Conner** was still concerned as to whether a roadway bisecting the parking lot between the gas pumps and the convenience store would improve the situation. Patrons would need to cross the traffic aisle between the gasoline pumps and the convenience store, which she believed could jeopardize the patrons' safety. She indicated that a traffic impact analysis would have been a valuable tool for understanding the safety issues involved.

**Ms. Conner** suggested the applicant might acquire more lots on Whites Road to permit better access to his storage yard. **Ms. Parker** explained the zoning was residential down Whites Road and would not permit that type of usage, and some of the lots have occupied homes. **Ms. Parker** believed there is room enough to accommodate a central traffic aisle on Uppy's lot with access to gas pumps, but some improvements or modifications would be needed to allow truck traffic to bypass the gas pumps.

**Mr. Carter** added that, as a general rule, the County encourages commercial properties with interconnected parking lots because it allows patrons to move between establishments without having to go onto the main highway. A mini-storage warehouse combined with 3,000 square feet of retail space is considered to be a low traffic-generator. This type of combined use provides a safety advantage by allowing patrons to move between the two establishments without having to go onto the main roads.

**Mr. Carter** then addressed **Mr. Staton's** earlier remark about a traffic study. The Virginia Department of Transportation has determined that it would be advantageous to have this connection. In addition, the traffic study that is required for site plan review would better project how much traffic to expect and, based on the projected traffic, determine what technical design standards would apply. **Mr. Carter** reiterated that in terms of the basic question of whether the shared lot is a good idea, VDOT supports it because it will eliminate the U-turn traffic.

**Chair Simasek** opened the public hearing.

**Mr. Kenneth Dale Moore**, 104 Lewis Drive, Seaford, spoke in behalf of his application. He explained that his application came about because Uppy's Convenience Store requested it. He spoke of some of the traffic safety concerns, noting that the entrance to Greene Drive from Route 17 is used by commercial traffic from C. A. Barrs Construction and BFI. He noted that a similar arrangement is in place at Wawa and the adjoining shopping center on the corner of Route 17 and Wolftrap Road, and he was unaware of any problems with the shared lot at that location.

**Mr. Davis** asked why Uppy's would want such an arrangement and who would pay for it. **Mr. Moore** said that Uppy's management thought a shared drive would increase business for them and has offered to pay for it. **Mr. Moore** referenced correspondence from Uppy's that he submitted to the County indicating their support of the proposal.

**Mr. Barba** said Mr. Moore's original application included storage of contractors' equipment on the Greene Drive property, with access from Greene Drive, and now there is talk about possible heavy equipment traffic from Route 17. He did not understand the apparent inconsistency. **Mr. Moore** told Mr. Barba the heavy construction equipment should not be going in and out of the storage lot or sharing the Uppy's lot. The mini-storage warehouse customers, on the other hand, typically drive trailers, vans or trucks to their units on their initial visit, which would generate some traffic through the Uppy's lot. He said that once the units were filled it would be unusual to have much traffic of that nature coming to the property.

**Mr. Staton** asked about the helipad site. **Mr. Moore** said it had been approved for the occasional use of his helicopter, which he pilots.

**Mr. Ptasznik** observed that VDOT has been interested in minimizing access to properties from Route 17 and it appeared the applicant's proposal would serve a good purpose. The substantial distance proposed to separate the gas pumps and convenience store did not appear problematical to him.

**Mr. Barba** did not understand the need for changing the traffic pattern and did not support approval.

**Mr. Hamilton** did not support the application because of his safety concerns for the Uppy's lot.

**Mr. Station** shared the opinions expressed by Messrs. Barba and Hamilton.

**Mr. Simasek** reminded that the Commission's recommendation should be based on land use. He favored approval based on the applicants' agreement and VDOT's support.

**Mr. Barba** moved proposed Resolution PC05-15.

PC05-15

Present

Vote

Andrew A. Simasek, Chair	Yes
Alfred E. Ptasznik, Jr., Vice Chair	Yes
Alexander T. Hamilton	No
John W. Staton	No
Nicholas F. Barba	No
Anne C. H. Conner	No
John R. Davis	Yes

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On motion of Mr. Barba, the following resolution was denied by a vote of 3:4.

A RESOLUTION TO RECOMMEND APPROVAL OF AN AMENDMENT TO SPECIAL USE PERMIT UP-634-04 TO AUTHORIZE VEHICULAR ACCESS TO PROPERTY LOCATED AT 7307 GEORGE WASHINGTON MEMORIAL HIGHWAY THROUGH PROPERTY LOCATED AT 7305 GEORGE WASHINGTON MEMORIAL HIGHWAY.

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